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**Sent:** 3/28/2019 2:08:55 PM  
**To:** Knight, Andrew, NMENV [Andrew.Knight@state.nm.us]  
**CC:** Hoyt, Daniel [Hoyt.Daniel@epa.gov]  
**Subject:** RE: Hilcorp FOV/NOV conference and CAA 114 call  
**Attachments:** Hilcorp\_CBI disclosure\_concurrence\_ltr\_3\_29\_19.pdf

Andrew and Dan,

Below is a draft reply to the email below for Hilcorp's counsel. Please send me your edits. Meanwhile, I will send the EPA/NMED Hilcorp team a confirming email for meeting in Santa Fe on 4/10 with an 8:30 am MDT start time.

Thanks,  
Bob

## Ex. 5 DP AWP AC Privilege / Ex. 7(E)

**From:** Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>  
**Sent:** Thursday, March 28, 2019 9:44 AM  
**To:** Klepp, Robert <Klepp.Robert@epa.gov>  
**Cc:** Hoyt, Daniel <Hoyt.Daniel@epa.gov>  
**Subject:** Re: Hilcorp FOV/NOV conference and CAA 114 call

Hi Bob

I wanted to see if EPA had a response to this so that we all can make travel arrangements?

Thank you

Sent from my iPhone

On Mar 26, 2019, at 11:37 AM, Eric P. Waeckerlin <[EPWaeckerlin@hollandhart.com](mailto:EPWaeckerlin@hollandhart.com)> wrote:

Hi Bob,

Thank you for your email. I have had a chance to talk through all of this with Hilcorp and here is where we have landed:

(1) Hilcorp is aggregable to a joint meeting with EPA and NMED in Santa Fe on April 10th at 1pm MDT. When you can, can you please confirm that this still works for the agencies and also provide details about the meeting?

(2) Hilcorp still strongly requests an in-person meeting with EPA in its Washington D.C. offices during the offered April 4th, 12-1 pm EDT time slot. We understand it is your position that EPA does not typically hold in-person meetings to discuss CAA 114 information requests. **Ex. 7(E)**

**Ex. 7(E)**

**Ex. 7(E)** We are also unaware of any NMED guidance on these issues. We would be happy to provide a list of issues Hilcorp would like to discuss prior to the meeting to help focus the discussion, but from our perspective a teleconference simply will not generate the same level of discussion or dialogue or provide the same opportunity to review specific language in

**Ex. 6 PP / Ex. 7(C)**

convenience, we would very much appreciate you letting us know if this is possible to have an in-person meeting next week so that we can make travel arrangements. We also remain cognizant of EPA's relationship concerns related to NMED and understand that even though this discussion relates to EPA's interpretation of federal rules and should be much broader in scope than the facts related to the San Jacinto 6E well or even Hilcorp's New Mexico operations, EPA may still want NMED to phone in for some of this meeting.

Thank you, Bob – and please feel free to call me to discuss.

Eric

**Eric Waeckerlin**

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**From:** Klepp, Robert <Klepp.Robert@epa.gov>  
**Sent:** Monday, March 25, 2019 12:42 PM  
**To:** Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>  
**Cc:** Hoyt, Daniel <Hoyt.Daniel@epa.gov>  
**Subject:** Hilcorp FOV/NOV conference and CAA 114 call

Hello Eric,

The EPA and NMED are available on either April 10 and April 11 from 8-10:45 MDT and 1:00-2:45 MDT. Either Albuquerque or Santa Fe, NM would work as a location for the conference. I checked with NMED and EPA about Hilcorp's request to have a meeting in Washington, DC, or Dallas. Based on responses, it would be best if the conference takes place at NMED's Santa Fe or Albuquerque office. Please let me know which of these dates and locations work for Hilcorp.

On the follow-up CAA 114 information request, the EPA is available to talk on April 4 at 12:00 – 1:00 EDT (10:00 – 11:00 MDT) via a conference call.

Ex. 7(E)

**Ex. 7(E)**

productive use of the call if in advance Hilcorp could identify for the EPA specific sections of the CAA 114 letter and let us know what questions Hilcorp has. I leave that to you to decide. You brought up an extension of the timeline for the response, and in that regard Hilcorp should let us know which requests require more time than provided under the current 30-day timeline and we can go from there. Lastly a word on attendees. The EPA will have technical staff on the call, including Daniel Hoyt, and also I am planning on joining, primarily in a listening mode. I want to extend an invitation to NMED to join as well. If there are discussion Hilcorp would like to have about oil and gas operations in locations outside NM, let me know and we can plan on a having that part of the discussion separately.

Bob

**Robert G. Klepp, Attorney**

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